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COMMISSION ON HUMAN RIGHTS

Fifty-second session

SUMMARY RECORD OF THE 64th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 26 April 1996, at 4 p.m.

Chairman: Mr. VERGNE SABOIA (Brazil)

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The meeting was called to order at 4.25 p.m.

CLOSURE OF THE SESSION

1. Mr. FALL (Assistant Secretary-General for Human Rights) said that the fifty-second session of the Commission on Human Rights had been positive overall, particularly from a practical standpoint. As a result of reductions in the number of meetings held and the volume of documentation produced, as well as the more rational presentation of draft resolutions, savings had been made, and that was a not inconsiderable achievement in a time of financial crisis. The strict implementation of provisions concerning speaking time, the maximum use of interpretation services and the easing of protocol were also worth mentioning. In that sense, the session could be described as historic.

2. The session was also historic because the Secretary-General of the United Nations had been present to open it, thus making it a particularly solemn occasion. That aspect had been enhanced by the enlightened chairmanship of Mr. Vergne Saboia, who had presided over the World Conference on Human Rights in Vienna.

3. It was remarkable that what had come to be known as the spirit of Vienna - openness, dialogue, coordination and consensus - had also prevailed at the current session of the Commission. Of the 99 resolutions and decisions adopted, only nine had been put to the vote. He drew particular attention to the resolution on the right to development, which provided for the inclusion in the next medium-term plan of a subprogramme on the right to development, the creation of a new service to implement the subprogramme and the establishment of an intergovernmental group of experts with a mandate to elaborate a strategy for the implementation of the right to development. In future, in the context of their respective mandates, thematic and country rapporteurs should systematically consider the situation with regard to economic, social and cultural rights and the rights to development on the same footing as the situation of civil and political rights. The interdependence of those rights was well illustrated by the close links between racism and intolerance, on the one hand, and the way in which the perverse effects of the economic crisis were used for racist and xenophobic ends, on the other.

4. A less historic, but highly symbolic event had been the special meeting which the Commission had devoted to Burundi and which would certainly have helped to convey a message of peace and reconciliation to the leaders and people of Burundi and could not but facilitate the work of the High Commissioner for Human Rights in that ravaged country.

5. With its 2,340 participants and its 400 or so parallel activities, the Commission on Human Rights was taking on increased political importance and turning out to be an irreplaceable forum where Governments, multilateral institutions and representatives of society could meet to make the international community more aware of the sharp differences in the human rights situation as the millennium drew to a close.

6. The fiftieth anniversary of the Universal Declaration of Human Rights would be celebrated in two years' time and would coincide with the mid-term evaluation of the implementation of the Vienna Declaration and Programme of Action. The Centre for Human Rights had already begun to think about that occasion. Several meetings had been held in the Centre and contacts had been made with non-governmental organizations at the current session of the Commission, which had just adopted a resolution on the preparations for that anniversary. He intended to organize information meetings in the near future with permanent delegations in Geneva on the question of the events that might be planned. The main issues of those meetings would be: the critical evaluation of the Universal Declaration in the light of the practice of the past 50 years; the general medium-term review of the implementation of the Vienna Declaration and Programme of Action; the strengthening of the implementation of the three Decades on racism, indigenous populations and human rights education; the state of the universal ratification of the international human rights instruments, in connection with which it was planned to hold meetings in Addis Ababa for the African region and in Amman for the Asian region on the obstacles to their ratification; the realization of the right to development, bearing in mind ongoing structural reforms and the consideration of the conclusions of the intergovernmental group of experts which had just been established; the rationalization and detailed study of special procedures and treaty monitoring systems; and the expansion and strengthening of human rights advisory and assistance services.

7. In conclusion, he thanked all delegations for their cooperative attitude and the staff of the secretariat who had given of their utmost during the session. He paid a special tribute to Mr. Jacob Möller, the Secretary of the Commission, who had performed outstandingly since his appointment to the post. Now that Mr. Möller was about to retire he thanked him sincerely and congratulated him on the work he had done. He expressed the hope that the spirit of Vienna would continue to characterize the Commission's work.

8. The CHAIRMAN welcomed the fact that the Commission had been able, despite its heavy schedule and the delicate issues before it, to discuss all the items on its agenda and take action on some 100 resolutions and decisions, 91 per cent of them without a vote. The spirit of cooperation among delegations and the consultations they had held had enabled the Chairman to issue statements or to propose consensus draft resolutions on situations of particular concern to the Commission and the international community, thus enabling the human rights machinery to continue to function in the various regions of the world. The Commission should therefore continue to promote consensus, dialogue and transparency with a view to reducing the level of politicization of discussions, although that effort should not preclude recourse to voting when necessary.

9. There was also a perceived willingness to strengthen cooperation with the mechanisms of the Commission, such as special rapporteurs, independent experts and working groups. Action by the High Commissioner for Human Rights had become an important feature of efforts to promote human rights. The Commission and the High Commissioner must maintain close links in order to coordinate those efforts. In that connection, the financial and human resources available to the High Commissioner and the Centre for Human Rights were inadequate to enable them to carry out their work.

10. The Commission had updated and renewed the mandates of several mechanisms, among the most important of which were the mandate of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and intolerance, that of the Special Rapporteur on violence against women and that of the Special Rapporteur on the sale of children, child prostitution and child pornography. Action against other forms of human rights violations such as torture, summary executions and arbitrary detention also deserved to be mentioned. Standard-setting activities would continue with the preparation of optional protocols to the Convention on the Rights of the Child relating to the involvement of children in armed conflicts and the prevention of the sale of children, child prostitution and child pornography.

11. By exposing the gravity of the human rights situation in Burundi at the very start of the session, the Commission had been able to draw the attention of the international community to the need for urgent measures to prevent a tragedy of enormous proportions in that country. The experience of certain situations, such as those in Rwanda and the former Yugoslavia, showed that preventive action and presence in the field were becoming important features of action to defend human rights. Efforts were thus needed to integrate and coordinate the programmes developed by international and regional organizations and by national authorities.

12. It was obvious that, if judged against the enormity of the task to be performed, the achievements of the Commission at any one session were modest. However, in its debates and decisions, it had not failed to convey a strong message to Governments, nations and the international community reminding them of their obligations. The fiftieth anniversary of the first session of the Commission and the preparations for the fiftieth anniversary of the Universal Declaration of Human Rights would be an opportunity for greater awareness of the progress achieved and the obstacles to be overcome. The confusing and often contradictory manner in which debate and decision-making took place in the Commission bore witness to the fact that it, more than any other United Nations body, mirrored the reality of the contemporary world, where positive and negative trends coexisted and where fear of others and rejection by them sometimes prevailed over rational attitudes.

13. Cultural diversity, beliefs and traditions were a rich heritage that mankind must preserve while incorporating elements which would enable the various cultures to adapt to changes in their societies. Respect for human rights, which guaranteed the right to difference, but also implied the obligation to respect the freedom of choice of individuals and groups, was a necessary condition for adaptation to the changing world. In an increasingly integrated and interdependent world, mankind must learn peace and tolerance under national and international systems compatible with human dignity.

14. The right to development, which placed all human rights in the perspective of effective national and international economic and social policies, embodied that need. The adoption by consensus of the resolution on the right to development had been one of the major achievements of the current session. The High Commissioner for Human Rights himself had emphasized the right to development as an important element of his mandate.

15. The Commission needed to preserve its status as the main policy-making, standard-setting and monitoring body in the United Nations system for the promotion and protection of human rights. It should ensure that human rights prevailed over political issues and also improve its working methods, restructure its agenda and try to ensure better management of its time and documentation, particularly by reducing the number and length of proposals. He had undertaken work with that aim on the basis of wide consultations with all regional groups. His initiative had received strong and broad support and he had consequently prepared a proposal on the restructuring of the agenda of the Commission (E/CN.4/1996/L.100). Because of last-minute difficulties, no consensus had been reached and the consideration of that document and other proposals, including those listed in document E/CN.4/1996/CRP.1, was being held over for the informal consultations which would take place during the intersessional period.

16. He thanked all delegations of member countries, observers and NGOs and the members of the Bureau and the secretariat, particularly the Secretary of the Commission, Mr. Jacob Möller, to whom he extended his warmest wishes on the occasion of his retirement. He also thanked the High Commissioner for Human Rights for his cooperation and his contribution to the work of the Commission.

17. After the customary exchange of courtesies, he declared the fifty-second session of the Commission on Human Rights closed.

The meeting rose at 5.15 p.m.